

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PUBLIC EMPLOYEES' RETIREMENT
SYSTEM OF MISSISSIPPI, Individually
and on Behalf of All Others Similarly
Situated,

Plaintiff,

vs.

ENDO INTERNATIONAL PLC; RAJIV
KANISHKA LIYANAARCHCHIE DE
SILVA; SUKETU P. UPADHYAY;
DANIEL A. RUDIO; ROGER H.
KIMMEL; SHANE M. COOKE; JOHN J.
DELUCCA; ARTHUR J. HIGGINS;
NANCY J. HUTSON; MICHAEL
HYATT; WILLIAM P. MONTAGUE;
JILL D. SMITH; WILLIAM F.
SPENGLER; GOLDMAN, SACHS &
CO.; J.P. MORGAN SECURITIES LLC;
BARCLAYS CAPITAL INC.;
DEUTSCHE BANK SECURITIES INC.;
RBC CAPITAL MARKETS, LLC;
CITIGROUP GLOBAL MARKETS,
LLC; MORGAN STANLEY & CO. LLC;
SUNTRUST ROBINSON HUMPHREY,
INC.; TD SECURITIES (USA) LLC; and
MITSUBISHI UFJ SECURITIES (USA)
INC.,

Defendants.

Civil Action

No: 2:17-cv-01466-PD

DEFENDANTS' MOTION FOR A PRETRIAL CONFERENCE

For the reasons set forth in the accompanying memorandum of law, all Defendants in this matter hereby move for an order granting a pretrial conference pursuant to Rule 16 of the Federal Rules of Civil Procedure to discuss the case management issues presented by the relationship between the Supreme Court's grant of certiorari in *Cyan, Inc., et al. v. Beaver County Employees Retirement Fund, et al.*, No. 15-1439 and plaintiffs' pending Motion to Remand [Dkt. No. 30]. The Court's decision in *Cyan* will be dispositive of the pending motion and the scope of the important right to defend certain securities class actions in federal court afforded by the Securities Litigation Uniform Standards Act of 1998 ("SLUSA"), 15 U.S.C. §§ 77v(a), 77p(c). In the event this Court prefers to address this issue without holding a conference, defendants ask the Court to (1) stay this action pending the resolution of the U.S. Supreme Court's decision in *Cyan*, or (2) deny the Plaintiffs' Motion to Remand, without prejudice to their ability to renew after the issuance of the Supreme Court's decision in *Cyan*.

Dated: July 25, 2017

Respectfully Submitted,

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